

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOES et al.,

Case No. 22-cv-10209

Plaintiffs,

v.

HON. MARK A. GOLDSMITH

GRETCHEN WHITMER et al.,

Defendants.

/

ORDER SETTING SCHEDULE FOR SUMMARY JUDGMENT MOTIONS

Plaintiffs bring several constitutional claims challenging Michigan's Sex Offenders Registration Act, Mich. Comp. L. § 28.721 *et seq.* Discovery is now closed. Having conducted status conferences with counsel and having reviewed the parties' joint status report regarding further proceedings (Dkt. 118) and related proposals, the Court sets the following schedule for briefing on motions for summary judgment:

Filings	Due Date
Plaintiffs' motion for summary judgment with brief in support and statement of material facts	October 2, 2023
Defendants' response to Plaintiffs' motion for summary judgment; Defendants' motion for summary judgment; brief in support of response and motion; counterstatement to Plaintiffs' statement of material facts; statement of additional material facts in support of Defendants' motion for summary judgment and in opposition to Plaintiffs' motion for summary judgment	November 22, 2023
Plaintiffs' reply brief in support of their motion for summary judgment and in response to Defendants' motion for summary judgment; counterstatement to Defendants' statement of additional material facts	December 29, 2023

Defendants' reply brief in support of motion for summary judgment	January 16, 2024
Parties' joint summary of arguments presented in briefing	January 23, 2024

The following page limits apply:

Filings	Page Limit
Plaintiffs' motion for summary judgment with brief in support	75 pages
Plaintiffs' statement of material facts	200 pages
Defendants' response to Plaintiffs' motion for summary judgment; Defendants' motion for summary judgment; Defendants' brief in support of response and motion	75 pages
Defendants' counterstatement of material facts in response to Plaintiffs' statement of material facts	200 pages
Defendants' statement of additional material facts in support of Defendants' motion for summary judgment and in opposition to Plaintiffs' motion for summary judgment	35 pages ¹
Plaintiffs' reply brief in support of their motion for summary judgment and in response to Defendants' motion for summary judgment	35 pages
Plaintiffs' counterstatement to Defendants' statement of additional material facts	35 pages
Defendants' reply brief in support of their motion for summary judgment	35 pages
Parties' joint summary of arguments presented in briefing	20 pages

¹ This page limit reflects the Court's expectation that Defendants will not need a higher page limit, given the large presentation of facts that will precede this filing. If Defendants determine, after reviewing Plaintiffs' statement of facts, that they will need a higher page limit for additional facts, they may file a motion or a proposed stipulated order to that effect.

This schedule is governed by the following requirements:

1. The parties' briefing must include—within the designated page limits—any argument challenging the admissibility of evidence relied on in the opposing parties' filing, including evidence related to experts.
2. Statements and counterstatements of material facts must comply with the following specifications:
 - a. A statement of material facts must consist of numbered paragraphs describing the facts as to which the moving party contends there is no genuine issue and that entitle the moving party to judgment as a matter of law. Each paragraph must include specific references and citations to record evidence.
 - b. A counterstatement to the opposing party's statement of material facts must state which facts are admitted and which facts are contested. The paragraph numbering must correspond to the opposing party's statement of material facts. If any of the facts are contested, the counterstatement must explain the basis for the factual disagreement, referencing and citing record evidence.
 - c. The statement of additional material facts must consist of numbered paragraphs, and each paragraph must include specific references and citations to record evidence.
 - d. The opposing party must file a counterstatement to that statement of additional material facts, stating which of the additional facts are contested. The paragraph numbering must correspond to the statement of additional material facts. If any of the additional facts are contested, the counterstatement must explain the basis for the factual disagreement, referencing and citing record evidence.
3. The joint statement setting forth a summary of the arguments presented in the briefing must (i) identify each issue raised by the briefing and (ii) set forth, as to each issue, each party's

argument, with citations to the portions of the briefing where the argument was made, and the principal legal authorities in support of the argument. The parties may not use the joint statement as a vehicle to raise new issues, arguments, or authorities.

SO ORDERED.

Dated: September 1, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge